

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STOLTHAVEN HOUSTON INC.,

Plaintiff,
-against-

RACHEL B, its engines, tackle apparel, etc., *in rem*, and
HILTVEIT ASSOCIATES, INC. and ZAREPTA
CHEMICAL KS, *in personam*,

Defendants.

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STIPULATION AND ORDER

08 CIV. 4327 (RPP)

WHEREAS, Plaintiff STOLTHAVEN HOUSTON INC., has appealed to the United States Court of Appeals for the Second Circuit from the Order of this Court, entered on July 18, 2008, which granted the motion to vacate attachment of Defendant ZAREPTA CHEMICAL KS (“Defendant”) and awarded the Defendant attorneys’ fees;

WHEREAS Defendant has brought a motion requesting that this Court determine the amount of attorneys’ fees and costs; and

WHEREAS, Plaintiff and Defendant are presently engaged in negotiations aimed at reaching a settlement of all issues in this action;

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendant, by their undersigned attorneys, that Plaintiff’s opposition submission to Defendant’s motion shall

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be filed on or before September 16, 2008, and Defendant's reply submission shall be filed on or before September 30, 2008.

Dated: New York, New York
August 26, 2008

FREEHILL HOGAN & MAHAR, LLP
Attorneys for Plaintiff
STOLTHAVEN HOUSTON, INC.

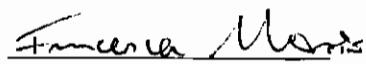
HOLLAND & KNIGHT LLP
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ZAREPTA CHEMICAL KS

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SO ORDERED:



Robert P. Patterson, Jr.
U.S.D.J.

